

FILED

SEP 28 2007

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DEANNA L. FREITAG,

Plaintiff - Appellee,

v.

CALIFORNIA DEPARTMENT OF
CORRECTIONS; et al.,

Defendants,

and

ROBERT J. AYERS, JR.; et al.,

Defendants - Appellants.

No. 07-16200

D.C. No. CV-00-02278-THE
Northern District of California,
San Francisco

ORDER

Before: REINHARDT, NOONAN and HAWKINS, Circuit Judges.

The court has received the motion requesting assignment of this appeal to the panel that decided *Freitag v. Ayers et al.*, 468 F.3d 528 (9th Cir. 2006). The motion is granted.

This court's August 27, 2007 order expediting this appeal is vacated. This appeal shall be heard in the ordinary course. The previously established briefing schedule remains in effect.